REMARKS

The Applicant respectfully disagrees with the rejection under 35 U.S.C. §101. However, to expedite prosecution the Applicant is amending claim 1 to remove the reference to a data structure. Therefore, claim 1 is allowable under 35 U.S.C. §101.

The system defined in claim 1 includes "a provisioning system operable to receive the provisioning request message from the external system and transmit information in the provisioning request message to the service provider to trigger the provisioning request." The provisioning system communicates with both the external system issuing the provisioning request message and the service provider.

Yang does not disclose a provisioning system. Yang only discloses a trigger message being sent directly to a mobile device that instructs the mobile device "to download [a] requested application program from a file storage location." (Yang, ¶51, lines 5-7). The service providing the application program communicates directly to the device, and not to a provisioning system that receives the request from an external system, and transmits the information to the mobile data service provider.

The system defined in claim 1 further includes an external system that is independent of the service provider. The external system provides service to a mobile device on the network that is the target of a provisioning request. This external system may be any system or service external to the mobile data service that is authorized to trigger provisioning events for the mobile data service. An example of an external system is a reseller of the mobile data service through which end-users can purchase contracts enabling them to use the mobile data service.

Lewis does not disclose an external system and does not disclose a provisioning request message including one or more attributes defined by the external system. Lewis is directed to a system for facilitating messaging between customers using different mobile communication devices. The system facilitates messaging notification between devices using different messaging protocols and formats (Lewis, ¶93, lines 7-9), and allows users more interaction with the messaging infrastructure (Lewis, ¶3, lines 1-6). Because Lewis does not disclose an external system, the messages sent cannot be provisioning

requests sent to a provisioning system from an external system, and do not contain provisioning entity sections including attributes defined by the external system.

Because Yang does not disclose a provisioning system, and because Lewis does not disclose an external system and a provisioning request message including one or more attributes defined by the external system, these references could not have made claim 1 obvious under 35 U.S.C. §103(a).

Claim 20 is amended to claim a computer readable medium that stores a provisioning data structure, as opposed to the previously claimed provisioning data structure. Further, the claim is amended to show a relationship among data elements specific to a data manipulation function. Therefore, claim 20 is patentable under 35 U.S.C. §101.
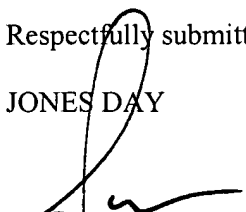
Claim 20 further contains similar limitations that are quoted above regarding claim 1. Since the Yang reference does not disclose a provisioning system, and since Lewis does not disclose an external system or a provisioning entity section including one or more attributes defined by the external system, claim 20 cannot be obvious under 35 U.S.C. §103(a).

Claims 21-42 and claims 48-53 are amended to reflect the amendments in independent claim 20.

For the foregoing reasons, Applicants respectfully submit that this application is in condition for allowance. The Examiner is, therefore, respectfully requested to pass this case to issue.

Respectfully submitted,

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